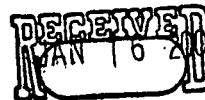


NPL-034-3-11-2-R10

REGISTERED CERTIFIED MAIL RETURN RECEIPT REQUESTED

January 19, 2001

Timothy Fields – 5101
USEPA Headquarters
Ariel Rios Building
1200 Pennsylvania Avenue NW
Washington D.C. 20460



Subject: Federal Register / Vol. 65, No. 232 / Friday, December 1, 2000 /
Proposed Rules: Lower Duwamish Waterway

Gentlemen:

The purpose of this letter is to request a 90-day extension to the deadline for the submittal of comments regarding the above referenced site which was proposed to be added to EPA's National Priorities List ("NPL") ON December 1, 2000. See 65 Federal Regulation 72515. The site is identified in the proposed rulemaking referenced above as the "Lower Duwamish Waterway" in Seattle, Washington. Long Painting Company has been identified as a possible affected party along a reach of the Lower Duwamish Waterway, and therefore, Long Painting may need to submit extensive comments with respect to EPA's listing proposal. Long Painting occupies the property designated on maps in the Documentation Record as A. Long, and T & A Long.

In the December 1, 2000 proposed rule, EPA said "comments regarding any of these proposed listings must be submitted (postmarked) on or before January 30, 2001." Long Painting Company, which will be affected by the proposed rulemaking, only recently obtained all the documents on CD-ROM from EPA Region 10 that were requested. It is my understanding that this documentation record is 6,000 pages long, together with its references that EPA relied upon as a basis for its rulemaking proposal. I also understand that 20 pages of the HRS Documentation Record were inadvertently left off one of the five CD-ROMs that were initially distributed by EPA Region 10 causing some confusion.

The site is further complicated by its size as it includes approximately six miles of the Lower Duwamish Waterway with many industrial, commercial and residential neighborhoods. In fact, in the reach of waterway that affects my business, there are residential neighborhoods that abut the upper reaches of the waterway with multiple sources of alleged contamination. In addition, there are potentially non-contiguous sources of alleged contamination. The record includes a technical evaluation of many scoring factors applied to at least six miles of riverfront.

"YOUR PARTNER IN SAFETY, QUALITY AND SERVICE"

www.longpainting.com





Long Painting Company believes it should be allocated a fair and reasonable amount of time to review and comment on the voluminous data included in the Documentation Record, which describes potential sources of alleged contamination. As an example, Boeing Company conducted a Phase I Surface Sampling Screening in October 1997 (DR p. 31) to generate information that could be used as a first step in evaluating potential chemical releases to the Duwamish Waterway that could be attributable exclusively to Boeing (DR Ref 7, p.9). The likelihood of releases that could be exclusively attributed to a single generator of alleged hazardous substances raises the question of whether an evaluation and scoring of separate sites was required and has been performed.

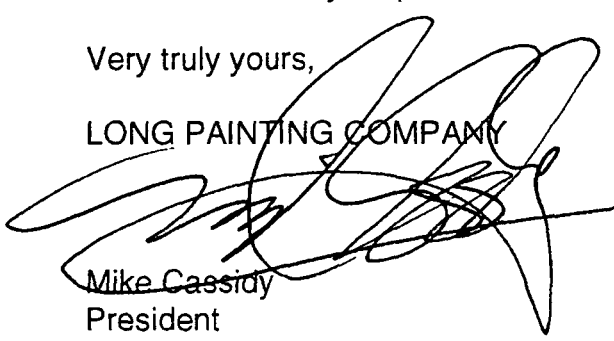
In numerous other instances, I understand that EPA has granted other interested parties similar extensions of time to review the basis of EPA rulemaking proposals and submit comments for the record. In fact, two examples of extensions include the 1994 Kennecott North Zone and South Zone NPL proposals for which EPA granted a 90-day extension, and the Normandy Park Apartments site for which EPA extended the comment period an additional 60 days in 1995.

Given this rulemaking proposal's voluminous record, the confusion over documents included on EPA Region 10 CD-ROMs regarding the Documentation Record, the number of residential properties potentially affected by the proposed rulemaking and the need for me to retain expert advice to interpret the voluminous DR, an extension is necessary. In addition, this rulemaking comment period spanned no less than three federal holidays, further contributing to the difficulty of obtaining records, expert advice and legal counsel.

Since the deadline of January 30, 2001 is fast approaching, I would appreciate receiving confirmation of the extension requested in this letter by January 23, 2001. Your timely response will be appreciated.

Very truly yours,

LONG PAINTING COMPANY



Mike Cassidy
President

cc: Ms. Yoland Singer (via mail, telecopy and US Mail)
Docket Coordinator (via US Mail)